

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PBA LOCAL 183, DOLORES M.
PALADINO and MARISOL PAGAN,

CONSOLIDATED ACTIONS

v.
Plaintiffs,

Civil Action No. 17-06962 (SRC)

COUNTY OF ESSEX,

Defendant.

PBA LOCAL 183, STEVEN
SALVATORIELLO, CARMELO VINCI,
MICHAEL TESEI and ROBERT
SUTTON,

Civil Action No. 19-13296 (SRC)

v.
Plaintiffs,

ORDER

COUNTY OF ESSEX,

Defendant.

CHESLER, District Judge

This matter having come before the Court on the following: a motion for leave to amend the complaint filed by Plaintiffs PBA Local 183, Dolores Paladino and Marisol Pagan [ECF 36]; a cross-motion to dismiss the complaint and enforce settlement filed by Defendant County of Essex [ECF 46]; and a motion to dismiss the complaint filed by Defendant County of Essex [ECF 46]; and the Court having reviewed the papers submitted in connection with these motions; and the Court opting to rule on the motions without oral argument, pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith,

IT IS on this 15th day of October, 2019,

ORDERED that Plaintiff's motion for leave to amend the complaint [ECF 36] be and hereby is **DENIED**; and it is further

ORDERED that Defendant's motion to dismiss the complaint and enforce settlement [ECF 46] be and hereby is **DENIED**; and it is further

ORDERED that Defendant's motion to dismiss the complaint [ECF 46] be and hereby is **GRANTED IN PART AND DENIED IN PART**; and it is further

ORDERED that, pursuant to Federal Rule of Civil Procedure 12(b)(6), Counts Three and Four of the Complaint filed in Civil Action No. 19-13296 are **DISMISSED WITHOUT PREJUDICE**; and it is further

ORDERED that any claims brought under New Jersey's Conscientious Employee Protection Act that are predicated on the issuance of the 2016 General Order are **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that any claims brought under the Fair Labor Standards Act's anti-retaliation provision, 29 U.S.C. § 215(a)(3), that are predicated on the issuance of the 2016 General Order are **DISMISSED WITH PREJUDICE**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge